



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1646
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JFW

In re United States Patent Application of:

Applicant: PETZELT, Christian

Application No.: 10/501,098

Date Filed: December 6, 2004

Title: CYTOTOXIC CYPLASIN OF
THE SEA HARE, APLYSIA
PUNCTATA, cDNA CLONING
AND EXPRESSION OF
BIOREACTIVE
RECOMBINANTS

Docket No.: 4121-169

Examiner: Not yet assigned

Art Unit: 1646

Conf. No.: 5606

Customer No.:

23488

FIRST CLASS MAIL CERTIFICATE

I hereby certify that I am mailing the attached documents to the Commissioner for Patents on the date specified, in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, and First Class Mailed under the provisions of 37 CFR 1.8.

Candace White

June 20, 2005

Date of Mailing

**RESPONSE TO NOTICE OF DEFECTIVE RESPONSE IN U. S. PATENT
APPLICATION NO. 10/501,098**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

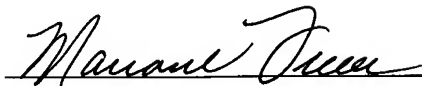
Responsive to the May 25, 2005 Notification of Defective Response, the following documents are enclosed and submitted herewith:

- 1) Statement of Identity

- 2) Sequence Listing (paper copy & diskette)
- 3) Copy of May 25, 2005 Notification of Missing Requirements

No fee is required in connection with this response.

Respectfully submitted,



Marianne Fuierer
Reg. No. 39,983
Attorney for Applicants

**INTELLECTUAL PROPERTY/
TECHNOLOGY LAW**
Telephone: (919) 419-9350
Fax: (919) 419-9354
Attorney Ref: 4121-169



UNITED STATES PATENT AND TRADEMARK OFFICE

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|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/501,098 | Christian Petzelt | 4121-169 |

INTERNATIONAL APPLICATION NO.

PCT/EP02/14511

I.A. FILING DATE

12/18/2002

PRIORITY DATE

01/07/2002

Steven J. Hultquist
 Intellectual Property/Technology Law
 P O Box 14329
 Research Triangle Park, NC 27709



CONFIRMATION NO. 5606

371 FORMALITIES LETTER



OC000000016108785

Date Mailed: 05/25/2005

NOTIFICATION OF DEFECTIVE RESPONSE : 6/25/05 *da*

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495)

- Indication of Small Entity Status
- Priority Document
- Copy of the International Application filed on 07/07/2004
- Copy of the International Search Report filed on 07/07/2004
- Copy of IPE Report filed on 07/07/2004
- Preliminary Amendments filed on 07/07/2004
- Information Disclosure Statements filed on 11/29/2004
- Oath or Declaration filed on 12/06/2004
- Small Entity Statement filed on 07/07/2004
- Copy of references cited in ISR filed on 07/07/2004
- U.S. Basic National Fees filed on 07/07/2004
- Priority Documents filed on 07/07/2004

Applicant's response filed 12/06/2004 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 12/17/2004 have not been completed.

- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be

submitted in lieu of a new CRF.

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- **For Rules Interpretation, call (571) 272-0951**
- **For Patent Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.**
- **Send e-mail correspondence for Patent Software Program Help @ ebc@uspto.gov**

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/501,098 | PCT/EP02/14511 | 4121-169 |